

COPYFILED
IN CLERKS OFFICEIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

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U.S. DISTRICT COURT
DISTRICT OF MASS.

Jackie Cole, et al.

Plaintiffs,

v.

CIVIL ACTION
NO. _____Indevus Pharmaceuticals, Inc., F/K/A Interneuron
Pharmaceuticals, Inc.; Wyeth, Inc., F/K/A American Home
Products Corporation; Wyeth Pharmaceuticals, Inc. F/K/A
Wyeth-Ayerst Pharmaceuticals, Inc., A Division of American
Home Products Corporation; and Boehringer Ingelheim
Pharmaceuticals, Inc.

Defendants.

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**NOTICE OF ORDER REFERRING REMAND MOTIONS IN
DIET DRUG CASES TO A SINGLE JUDGE FOR DECISION**

This case is one of over 200 diet drug cases originally filed on behalf of approximately 4,500 plaintiffs in state court in Middlesex County, Massachusetts. Wyeth is in the process of removing all of these diet drug cases to the federal court.

In the first of these cases -- *Andrus, et al v. Indevus Pharm., Inc., et al.* -- Wyeth filed a Notice of Removal on May 7, 2004. Because the anticipated remand motions in *Andrus* and this and the other diet drug cases likely will raise similar, if not identical issues, Wyeth filed in *Andrus* a Motion to Refer Decision of Remand Motions in All Diet Drug Cases to a Single Judge for Decision. On May 19, 2004, the court (O'Toole, J.) entered an order granting Wyeth's motion.

Respectfully submitted this 25th day of May 2004.

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CERTIFICATE OF SERVICE

This is to certify that I have this day served the within and foregoing document upon all parties to the above-captioned action by depositing a copy of same in the United States Mail in a properly addressed envelope with sufficient postage affixed thereto to ensure delivery to the following:

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This 25th day of May, 2004.

/s/ Janice W. Howe

Janice W. Howe

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